

FILED

AUG - 1 2018

U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

AFFIDAVIT FOR SEIZURE WARRANT

I, Ryan Gibbons, being duly sworn, depose and state as follows:

I am an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, and I am empowered by law to conduct investigations of and to make arrests for the offenses enumerated in Title 18, United States Code Section 2516.

I have been employed as a Police Officer with the St. Louis Metropolitan Police Department for 9 years. I am currently assigned as a Federal Task Force Officer with the Federal Bureau of Investigation (FBI) where I am assigned to a squad responsible for the investigation of drug trafficking and violent street gangs. Through my training and experience, I am familiar with the debriefing of cooperating witnesses and/or other sources of information and methods of searching locations where illegal drugs, firearms, instruments of money laundering, and evidence of other crimes may be found. I have been trained in and have experience conducting surveillance of drug traffickers. I am also familiar with the methods used to import illegal drugs and the methods which drug traffickers use to pay for illegal drugs and conceal the proceeds of their illegal activity. I have also interviewed persons involved in violations of federal law pertaining to firearms, drug trafficking and money laundering.

This affidavit is not intended to be a complete and detailed description of all of the facts and evidence discovered during this investigation. I have set forth only the information that I believe is necessary to establish the required foundation for the issuance of the seizure warrant requested. Information in this affidavit is based upon my own investigation and that of other experienced law enforcement investigators with whom I am

working. As part of the investigation described in this affidavit, I have reviewed public records and talked with or reviewed reports of other law enforcement investigators.

Property to Be Seized:

This affidavit is made in support of an application for a warrant to seize the following property:

1. \$3,135.00 in United States currency.
2. Jimenez Arms 9mm semi-automatic pistol bearing serial number 156537 with magazine and 9mm ammunition cartridges.
3. .40 caliber S&W ammunition cartridges.
4. Sig 10 mm ammunition cartridge(s).

The facts in this affidavit establish probable cause to believe the above described property is subject to seizure and forfeiture under both civil and criminal authorities.

The above described property is currently in the custody of the St. Louis Metropolitan Police Department, 1915 Olive Street, St. Louis, Missouri 63103.

Legal Framework:

I have been advised that the proceeds of drug offenses are subject to forfeiture under both civil and criminal Forfeiture authorities. Pursuant to 21 U.S.C. § 881(a)(6), “all moneys, negotiable instruments, securities, or other things of value furnished or intended to be furnished by any person in exchange for a controlled substance...all proceeds traceable to such an exchange, and all moneys, negotiable instruments, and securities used or intended to be used to facilitate any violation of [the Controlled Substances Act]” are subject to civil forfeiture. In addition, pursuant to 21 U.S.C. § 853(a)(1), any property

constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of a drug violation are subject to criminal forfeiture.

A firearm that is used or intended to be used to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances is subject to civil forfeiture pursuant to 21 U.S.C. § 881(a)(11). In addition, pursuant to 21 U.S.C. § 853(a)(2), any property used, or intended to be used, in any manner or party, to commit, or to facilitate the commission of, a violation of the Controlled Substance Act is subject to criminal forfeiture.

Firearms and ammunition are subject to seizure and criminal forfeiture pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461 as being involved in or used in any knowing violation of 18 U.S.C. § 922(g).

This application seeks a seizure warrant under both civil and criminal authority because the property to be seized could be placed beyond process if not seized by warrant.

Pursuant to 18 U.S.C. § 981(b) and 21 U.S.C. § 881(b), property subject to civil forfeiture may be seized by a civil seizure warrant issued by a judicial officer “in any district in which a forfeiture action against the property may be filed,” and may be executed “in any district in which the property is found,” if there is probable cause to believe the property is subject to forfeiture. A civil forfeiture action may be brought in any district where “acts or omissions giving rise to the forfeiture occurred.” 28 U.S.C. § 1355(b)(1)(A). As detailed below, acts or omissions under investigation occurred in the Eastern District of Missouri. 21 U.S.C. § 853(f) provides authority for the issuance of a seizure warrant for property subject to criminal forfeiture.

Based on the foregoing, the issuance of this seizure warrant is authorized under 21 U.S.C. § 853(f) for criminal forfeiture; and 18 U.S.C. § 981(b) for civil forfeiture. Notwithstanding the provisions of Rule 41(a) of the Federal Rules of Criminal Procedure, the issuance of this seizure warrant in this district is appropriate under 18 U.S.C. § 981(b)(3) and 28 U.S.C. § 1355(b)(1) because acts or omissions giving rise to the forfeiture occurred in the Eastern District of Missouri.

Subject of Investigation:

Jerome Green is a 36 year-old St. Louis resident and convicted felon who has been arrested for numerous offenses including Assault, Unlawful Use of a Weapon, Unlawful Possession of a Firearm, Possession of a Controlled Substance-Felony, Distribution of a Controlled Substance-Felony, Tampering with a Motor Vehicle, Stealing a Motor Vehicle 1st Degree, Domestic Assault, and Endangering the Welfare of a Child 1st Degree.

Investigation Summary:

Starting in November 2017, the FBI and the St. Louis Metropolitan Police Department (SLMPD) identified Jerome Green as a member of a local Drug Trafficking Organization who is believed to be selling large amounts of illegal narcotics within the City of St. Louis. Green is a convicted felon.

The following is a summary of the investigation which led to the April 4, 2018, arrest of Green. At the time of his arrest, Green was in possession of what is believed to be Fentanyl, Oxycodone, cocaine base, and the above described property.

During the first three weeks of December, 2017, investigators conducted three controlled purchases of heroin from Jerome Green and Toni Martin-Green who were using motel room 216 at the Western Inn located at 4828 N. Broadway, as their base of

operations. Prior to each purchase, an undercover officer called certain cellular phone numbers. Each time, the undercover officer was directed to meet on the parking lot of the Western Inn. During all three purchases, Green or Martin-Green were observed coming out of room 216 prior to participating in the illegal narcotics transactions in the parking lot outside of the aforementioned room. As a result of the three controlled purchases, investigators obtained a state search warrant for 4828 N. Broadway, Room 216.

Execution of State Search Warrant on December 21, 2017:

On December 21, 2017, at approximately 8:30 a.m. SWAT executed the search warrant at the Western Inn, 4828 N. Broadway, Room 216. Inside the room, investigators immediately announced the search warrant and encountered Jerome Green, Toni Martin-Green, and a juvenile. Green was standing next to the bed holding a firearm in his hand, but threw it to the ground after seeing the SWAT officer. When investigators entered the room after SWAT, Green spontaneously stated "I knew the Feds were watching, everything in here is mine, my wife (Martin-Green) had nothing to do with this." Prior to making any further statements, investigators advised Green of his Miranda rights which he (Green) stated he understood. Green admitted to investigators that he was a convicted felon. Inside the room on the floor near the bed, Investigators found a Jiminez Arms 9mm semi-automatic pistol where officers had seen Green throw it down. The pistol had eight cartridges in the magazine and one cartridge chambered and ready to fire. On the bed in the middle of the room, investigators found a purple pencil case and a black pencil case. Both pencil cases contained clear bags which held capsules of various colors containing Fentanyl (verified through SLMPD Lab Report). Also located was an additional clear Ziploc bag containing multiple capsules of Fentanyl; \$935 in U.S. currency; and (2) .40

caliber S&W ammunition cartridges. On the dresser on the southern wall, investigators observed a tin can which contained a clear plastic bag filled with capsules of Fentanyl. Investigators also found multiple empty capsules. Also found on top of the dresser was a black bag that contained a digital scale. I know, based on my training and experience, that digital scales are commonly used by drug traffickers to weigh illegal narcotics prior to packaging, and empty capsules are commonly used to package Fentanyl and other illegal narcotics. Multiple cellular telephones were also found in the room. Upon examining the telephones, investigators dialed 636-215-0813 and 314-930-1457, the phone numbers which the undercover officer called to set up the drug purchases mentioned above. Two of the telephones found in the room illuminated and rang showing the incoming number from which the investigator was calling.

Federal Indictment:

On February 1, 2018 Jerome Green was charged by a Federal Grand Jury in the Eastern District of Missouri with distribution of a controlled substance, possession of a firearm in furtherance of drug trafficking, and being a felon in possession of a firearm which traveled in interstate or foreign commerce.

Green could not be located for arrest and a fugitive investigation was initiated.

Fugitive Arrest of Jerome Green at Budget Inn on April 4, 2018:

On April 4, 2018, investigators and members of the United States Marshal Service (USMS) Fugitive Unit received a tip that Green was staying at the Budget Inn located at 3607 Hamilton, St. Louis, Missouri and driving a maroon Infiniti sedan. Upon responding to the motel, investigators observed a vehicle matching the description provided by the tipster parked in front of room 136. While investigators were looking at the vehicle, Green

opened the door of room 136, saw the investigators and immediately slammed the door shut. USMS Deputies began giving verbal orders to Green to surrender. Green refused to comply. USMS Deputies breached the door of room 136 and found Green standing near the bathroom. Also in the room was Toni Martin-Green and child, Jamayah Green. Investigators observed narcotics and narcotics related paraphernalia in plain view strewn about room. Green was placed under arrest and advised of his Miranda rights which he orally stated he understood.

Green was asked about the drug related items observed in plain view. Green stated he didn't want his wife to get in trouble and signed a Consent to Search form. Inside the room, investigators located (2) blenders with white residue inside a trash bag; (1) clear pill press with residue; (1) clear knotted bag containing an off white powdery substance; (4) bags containing multi-colored capsules commonly used for packaging narcotics; (4) bottles of Dormin, a common "cutting agent" for illegal narcotics; (1) Sig 10mm ammunition cartridge; (1) Federal .40 caliber ammunition cartridge; multiple clear knotted bags of capsules containing suspected heroin; multiple clear knotted bags containing circular pills; (1) clear knotted bag containing a white powder and multiple chunks of a white substance believed to be Fentanyl; (1) clear knotted bag containing multiple off white chunks of suspected crack cocaine; (1) off white chunk of suspected crack cocaine located inside of a blue/black bag inside the bathtub; (1) digital scale; (2) clear knotted bags of off white chunks believed to be crack cocaine; (1) blender with residue located on the counter near the sink; (1) black blender with residue located inside a book bag; (1) clear bag containing a tan powder believed to be heroin inside a coin purse on the bed; and \$2,218.00 in U.S. currency found in various locations in the room.

Lack of Legitimate Income:

According to the Missouri Division of Employment Security, an agency that records the amounts of income paid to and income taxes paid by individuals employed or residing in Missouri, Jerome Green had no reportable income:

3rd Quarter 2017 - \$0

4th Quarter 2017 - \$0

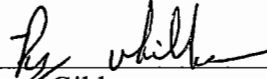
1st Quarter 2018 - \$0

2nd Quarter 2018 - \$0

Conclusion:

Based on your affiant's training and experience and the training and experience of other veteran members of my team, the information set forth above establishes probable cause that Jerome Green engaged in narcotics trafficking in violation of Title 21, United States Code, Sections 841(a)(1), 843(b) and 846, was a felon in possession of a firearm and ammunition in violation of Title 18, United States Code, Section 922(g), and possessed firearms in furtherance of a drug-trafficking crime in violation of Title 18, United States Code, Section 924(c)(1)(A) and that the above described property is subject to criminal

forfeiture pursuant to Title 21, United States Code, Section 853(a), and Title 18, United States Code, Section 924(d), and civil forfeiture pursuant to Title 21, United States Code, Sections 881(a)(6) and (11).



Ryan Gibbons
Task Force Officer
Federal Bureau of Investigation

SUBSCRIBED and SWORN to before me this 1 day of August, 2018



HONORABLE PATRICIA L. COHEN
United States Magistrate Judge
Eastern District of Missouri